

REMARKS

In its decision mailed August 14, 2008, the BPA reversed the Examiner's rejection of claim 5 as being anticipated by Roberts and affirmed the Examiner's rejection of claim 10 as being obvious over Roberts and Lennox. As claims 6-8 depend from claim 5, the rejections thereof are likewise necessarily reversed.

On September 11, 2008, Applicants' attorney had a telephone conversation with the Examiner in which the Examiner indicated that Applicant was to respond to the decision rendered by the BPA prior to the issuance of any further action by the Examiner. As such, the foregoing amendment and the following remarks are submitted. A notice of allowance is respectfully requested in light of the foregoing amendments and the following remarks.

1. Rejections under 35 U.S.C. § 103(a)

The BPA affirmed the Examiner's rejection of claim 10 as obvious over the combination of Roberts and Lennox. Claim 10 is now amended to specifically include the limitation of including means for piercing the skin with respect to the introducer shaft. The added limitation is supported by the specification as filed as the specification includes disclosure directed to an introducer needle. Neither of the inventions disclosed in Roberts nor in Lennox include means for piercing the skin. Accordingly, it is believed that claim 10 is now in condition for allowance, and an indication to that effect is respectfully requested.

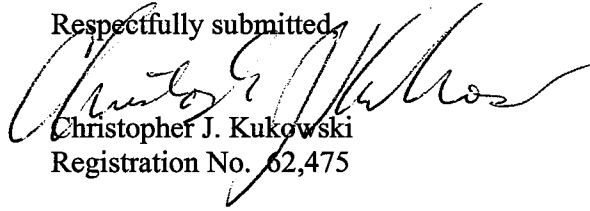
2. Conclusion

It is submitted that claims 5-8 and 10 define patentable subject matter per the above described amendments and remarks. A Notice of Allowance is therefore respectfully requested. Should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees,

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or credit any overpayment to Deposit Account No. 50-1170. The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,



Christopher J. Kukowski
Registration No. 62,475

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Customer Account No.: 72088

BOYLE FREDRICKSON, S.C.
840 North Plankinton Avenue
Milwaukee, WI 53203
Telephone: (414) 225-9755
Facsimile: (414) 225-9753